

Serial No. 09/704,761
Amdt. dated **April 5, 2004**
Reply to Office Action of November 5, 2003

Docket No. IK-011

REMARKS/ARGUMENTS

Claims 1-23 are pending in this application. By this Amendment, claims 1, 10 and 18 are amended. Reconsideration in view of the above amendments and following Remarks is respectfully requested.

The outstanding Office Action rejects 1-23 under 35 U.S.C. § 103(a) as unpatentable over Caldwell et al. in view of Kasai.

Applicant thanks the Examiner for the courtesy of an interview extended to Applicant's representative on March 12, 2004. During the interview, the differences between the present invention and the applied art were discussed. In particular, Applicant's representative explained that according to the present invention, the reference signal used to compare with the output signal from the switch is an independent temperature reference signal, whereas the reference signal in Kasai (see Fig. 26, for example) is a mixed reference signal (*i.e.*, the reference signal output from the temperature sensor 10 is mixed with the reference signal output from the discriminator 7). Note the reference signal output from the discriminator 7 is used to determine whether or not a finger or object such as a metal object touches the touch sensor and then this reference signal is varied according to the temperature sensor 10. That is, the reference signal output from the discriminator 7 and input to the detector unit 6 is not an independent temperature reference signal, but rather is discriminator reference signal that is mixed with the temperature sensor signal (see also col. 7, lines 37-45). This differs from the claim invention in

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which each of the independent claims have been amended to recite an independent temperature reference signal.

In more detail, the independent temperature reference signal according to the present invention is shown in a non-limiting example in Fig. 3, in which a ground signal output from the flip-flop 110 is adjusted with the thermistor R_{th} to produce an independent temperature reference signal that is input to the comparator 120. The comparator 120 compares this independent temperature reference signal with a signal output from the collector of the transistor 101. Thus, the reference signal input into the comparator 120 is an independent temperature reference signal. In addition, Caldwell et al. does not teach or suggest the claimed independent temperature reference signal. Accordingly, it is respectfully submitted independent claims 1, 10 and 18 and each of the claims depending therefrom are allowable.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David A. Bilodeau**, at the telephone number listed below. Favorable consideration and prompt allowance are earnestly solicited.

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To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with this application, including extension of time fees, to Deposit Account No. 16-0607 and credit any excess fees to the same Deposit Account.

Respectfully submitted,
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